

MINUTES OF THE ORDINARY MEETING OF THE HAY SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS LACHLAN STREET HAY AT 1.00PM ON 24th February 2026

PRESENT: Councillors: Cr G Chapman, Cr L Garner, Cr W Miller, Cr C Oataway (Chair), Cr J Perry, Cr P Porter, General Manager - David Webb, Executive Manager People and Governance – Kirstyn Thronder and Executive Assistant – Kerry McRae

Apology: Cr M Quinn, Cr D Townsend.

26-007 Resolved that apologies from Crs Quinn & Townsend be accepted.

(Miller/Perry)

This meeting was audio recorded.

Confirmation of Minutes

26-008 Resolved that the minutes of the Ordinary Meeting of Council held 16th December 2025 be confirmed.

(Perry/Miller)

26-009 Resolved that the minutes of the Extraordinary Meeting of Council held 27th January 2026 be confirmed.

(Perry/Porter)

Declaration of Interest:

Cr Oataway declared a Non-Pecuniary Interest in Item C16 Aged Care Update as she is a Board member at Haydays.

Mayoral Report

M1 Mayoral Report

That Council notes the information provided in the report

General Manager's Reports

Action Plan Report

The report was received and noted.

C1 DA2025-58-Shed at 4 Roset Street, Hay

26-010 Resolved that Council approve DA2025-58 for a shed at 4 Roset Street, Hay with the following conditions:

1. Compliance with Consent:

The Development being completed in accordance with plans and specifications stamped by Council being Plans - Site Plan for Shed at 4 Roset St, Hay AND Job No. SORA1021309099, Sheets 1 to 11 dated 03-11-2025 by Venn Engineering, for 4 Roset Street, Hay, except where varied by conditions of this consent.

Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.

2. Signage:

Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction.

- Stating that unauthorised entry to the site is not permitted;
- Showing the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours; and
- The name, address and telephone contact of the Principal Certifying Authority for the work.

Any structures erected to meet the requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

Reason: To meet the minimum requirements of the Environmental Planning and Assessment Regulation.

3. Compliance with Standards:

Any building and associated works shall comply with the statutory requirements of the Environmental Planning & Assessment Act, Local Government Act and the National Construction Code (NCC).

Reason: The legal obligations of the Council to administer the New South Wales building and planning laws in order to provide satisfactory standards of living and development.

4. Critical Stage Inspections:

A person who is carrying out, or in charge of carrying out the work, must notify Council with 24hours notice when the relevant inspections are required below:

- a) Pier pads prior to pouring concrete;
- b) All footing excavations, with steel in position, before concrete is poured;
- c) All concrete floors and raft slabs, with steel and damp proof membrane in position before concrete is poured;
- d) Sewer drains before being covered;
- e) Bearers and floor joists before flooring is laid;
- f) Wall and roof framing before being lined;
- g) Insulation of walls, roof, floor, ceilings, soffits, service pipes, ducts and chimney flue dampers;
- h) Wet area flashings after internal linings are installed;
- i) Stormwater drains/connections before backfilling;
- j) Fire-rated wall and ceiling framing;
- k) Sound transmission measures;
- l) Final inspection on completion of the works, and BEFORE any occupation.

Reason: *The need for Council to ensure that works have been carried out in accordance with the approved plans, specifications and the relevant legislation/standards.*

5. Siting:

The applicant is responsible to ensure that the building is sited on the allotment and constructed to the design levels approved by Council as specified on the approved site plan.

Reason: *To ensure no encroachments occur onto neighbouring properties and no changes are made to the approved siting of the property.*

6. Variations:

No alteration to approved plans and specifications is allowed unless separately approved by Council.

Reason: *To ensure the designs meet regulations and standards, and are in line with Council policies.*

7. Boundary Clearance:

A minimum distance of 900mm shall be provided between the external walls of the dwelling/building and the side boundaries of the allotment, and a minimum distance of 450mm shall be provided between the overhang of the eaves and guttering and the side boundaries of the allotment.

Reason: *To adhere to minimum boundary offsets as required by the relevant legislation.*

8. Storm Water Drainage:

Storm water run-off from all roofs and extensive paved areas is to be collected and conveyed by gravity to Council's storm water collection system via a system of underground pipes having a diameter of at least 90mm and laid at a grade of at least one-in-one hundred (1%).

Reason: *Preservation of the integrity of buildings and other structures, soil conservation, and not to impact neighbouring properties.*

9. Easements:

The applicant is required to ensure that any easements registered over the title to the land are complied with.

Reason: *Compliance with Legal documents.*

10. Occupation Certificate:

Prior to the commencement of the use and/or occupation of the subject development, a satisfactory Final Inspection and/or Occupation Certificate must be issued by a Principal Certifying Authority. An Occupation Certificate must be applied for via the Planning Portal, select your development and apply for a "Related Certificate".

Reason: *Ensure all conditions of the development are met and the building/development is safe for use.*

Lapsing of Consent:

This consent is limited to a period of 5 years from the date of the Notice of

Determination, unless the works associated with the development have physically commenced.

Reason: *To ensure compliance with the Environmental Planning & Assessment Act 1979.*

11. Use of Building – Non-Residential Uses Only:

The building must not be used as a dwelling or domicile without Council's consent.

12. Use of Building – Not for Commercial or Industrial Use: The building/shed must not be used for commercial or industrial purposes or storage of goods associated with industrial or commercial undertakings.

Reason: *Development consent is required for any other activity not already approved.*

13. Construction Certificate Required

A Construction Certificate must be obtained from the Principal Certifying Authority prior to the commencement of any work.

Reason: *To ensure that minimal standards relating to structural adequacy, health and amenity are met.*

14. Owner Builder Permit

Where it is proposed to carry out residential building work as an "Owner Builder", a copy of the Owner Builder Permit specific to this project, must be provided to Council prior to the issue of a Construction Certificate.

Reason: *Legislative requirement to ensure the building works are undertaken in a competent and safe manner.*

15. Owner Builder Permit

Where it is proposed to carry out residential building work as an "Owner Builder", a copy of the Owner Builder Permit specific to this project, must be provided to Council prior to the issue of a Construction Certificate, or a licenced builder nominated.

Reason: *Legislative requirement to ensure the building works are undertaken in a competent and safe manner.*

16. Materials

Sheds larger than 40m² must be constructed of non-reflective coloured material (such as Colorbond).

Reason: *Compliance with Hay Shire's Sheds and Shipping Containers in Residential Areas Policy.*

17. Laneway Access

Any gates used to access the rear laneway, must not swing outwards into the road reserve.

Reason: *To not encroach onto a road reserve, and to not cause obstructions/hazards to traffic users.*

For
Cr G Chapman
Cr L Garner
Cr W Miller
Cr C Oataway
Cr John Perry
Cr Paul Porter

Against

(Porter/Miller)

C2 DA2025-59 – Telecommunications Facility (NBN) at 488 Murray St, Hay

26-011 Resolved that Council approve DA2025-59 for development and use of a telecommunications facility (monopole) for wireless network services, at 488 Murray St (Lot 2032 DP 1097344), Hay:

1. Plans/Documents: The development shall take place in accordance with the plans and documentation submitted with Development Application No 2025-59 (also known as PAN-588908) being:
 - Planning Report - Statement of Environmental Effects (Development Application for a Fixed Wireless Telecommunications Facility), Lindsay Steet, Hay NSW 2711 (Lot 2032 DP1097344), NBN Site Reference: Hay.
 - Drawing No:
 - 2HAY-51-02-HAYH-T1 (23.09.25)
 - 2HAY-51-02-HAYH-T2 (22.07.25)
 - 2HAY-51-02-HAYH-C1 (23.09.25)
 - 2HAY-51-02-HAYH-C2 (23.09.25)
 - 2HAY-51-02-HAYH-C3 (23.09.25)
 - 2HAY-51-02-HAYH-C4 (23.09.25)
 - 2HAY-51-02-HAYH-A1 (23.09.25)
 - 2HAY-51-02-HAYH-A2 (23.09.25)

by Visionstream Australia Pty Ltd for National Broadband Network (NBN), Lindsay St, Hay.

Reason: *To ensure the development is consistent with the approval.*

Statutory Requirements

2. Licences/Permits: The applicant shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals. The applicant shall ensure that a copy of this consent and all relevant environmental approvals are available on the site at all times during the development.

Reason: *To comply with Environmental Planning & Assessment Act 1979*

Reason: *To ensure minimum standards of hygiene for on-site workers.*

3. Construction: The structure(s) are to comply with the relevant requirements of the National Construction Code of Australia and the Environmental Planning and Assessment Act 1979.

Reason: *To ensure compliance with the National Construction Code of Australia.*

4. Signage: A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (i) Showing the name, address and telephone number of the principle certifying authority for the work, and
 - (ii) Showing the name for the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work had been completed.

This Condition does not apply to:

- (i) building work carried out inside an existing building, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building; or
- (ii) In relation to Crown building work that is certified, in accordance with Section 116G of the Environmental Planning and Assessment Act, to comply with technical provisions of the State's building laws.

Reason: *This is a prescribed condition of the Environmental Planning and Assessment Regulation 2021.*

5. Variations

No alteration to approved plans and specifications is allowed unless separately approved by Council.

Reason: *Alterations to the proposal may require an application for modification of development consent.*

Environmental Performance and Compliance

6. The applicant shall provide advice to Council prior to each of the events listed below;
- (a) Commencement of construction
 - (b) Commencement of operation
7. The applicant shall be responsible for the works the subject of this consent and the environmental impacts that may result from those works and shall put in place an environmental management system governing the conduct of all persons on the site, including contractors, subcontractors and visitors.

Reason: *To ensure compliance with the consent issued and legislative requirements.*

8. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
- Not further harm the object;
 - Immediately cease all work at the particular location;
 - Secure the area so as to avoid further harm to the Aboriginal object;

- Notify Heritage NSW as soon as practical on 131555 or by emailing ahims@environment.nsw.gov.au, providing any details of the Aboriginal object and its location; and
- Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

9. In the event that human remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

10. Access to Council Officers must be provided at any reasonable time for the purpose of monitoring the development.

Reason: *To ensure the works are completed in line with approved plans and this approval.*

11. No pollution must occur to adjacent land or watercourses during the construction phase.

12. During construction measures must be taken to minimise noise that may impact on neighbouring premises.

Reason: *To ensure the environment is not adversely affected by the construction work activity.*

13. The Applicant shall carry out all reasonable and feasible measures to minimise dust generated during the construction, operation and decommissioning of the Development.

Reason: *To ensure environmental protection and neighbourhood amenity.*

Inconsistency Between Documents

14. If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Lapsing of Consent

15. This consent is limited to a period of 5 years from the date of the Notice of Determination, unless the works associated with the development have physically commenced.

Reason: *To ensure compliance with the Environmental Planning & Assessment Act 1979.*

Utility Services

16. Prior to the commencement of work the Applicant is to negotiate with the utility authorities in connection with the relocation and/or adjustment of the services affected by the development. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council.

Reason: *Protection of infrastructure*

17. The proponent should address any potential hazards to low flying aircraft using any unregulated aerodromes located in the vicinity of the proposed tower, which may include consideration of the installation of aviation obstacle lighting. Should the

proponent wish to voluntarily adopt aircraft warning light(s), or if a risk assessment determines that the tower should be lit, more information can be found in the CASA Manual of Standards (MOS) Part 139 Aerodromes under Chapter 9 Division 4.
<https://www.legislation.gov.au/Details/F2020C00797>.

Additional information from CASA - For general advice, refer to CASA Advisory Circular AC 139.E-05v1.0 "Obstacles (including wind farms) outside the vicinity of a CASA certified aerodrome". <https://www.casa.gov.au/sites/default/files/advisory-circular-139e-05-obstacles-including-wind-farms-outside-vicinity-casa-certified-aerodrome.pdf.pdf>

Note the requirement to notify permanent tall structures to Airservices Email: vod@airservicesaustralia.com. The form is available on the Airservices Australia website through:

<https://www.airservicesaustralia.com/industry-info/aeronautical-information-management/part-175/>. 'Obstacle Owners'

For
Cr G Chapman
Cr L Garner
Cr W Miller
Cr C Oatway
Cr John Perry
Cr Paul Porter

Against

(Perry/Miller)

C3 DA2024-67 - Unmanned Truck Refuelling Facility at 310 Moama St, Hay

That Council notes the information provided in the report and the actions being undertaken.

C4 Updated Plan of Management

26-012 Resolved that Council adopts the updated Plan of Management and associated Appendices, dated October 2025 and as presented, and advises Crown Lands accordingly.

(Perry/Chapman)

C5 NBN Lease – Council Works Depot

26-013 Resolved that Council:

(a) Notes the information provided in the report and actions being undertaken;

- (b) Authorises the General Manager to enter into lease arrangement with NBN Co Limited for telecommunications tower at Council Works Depot, Lot 2032 DP1097344 Lindsay Street, Hay, as outlined in the report; and
- (c) Sets aside annual lease payments for Works Depot capital renewal and improvements.

(Porter/Perry/)

C6 Proposed Fast EV Charger – Maude Reserve (Opposite Maude Memorial Hall)

26-014 Resolved that Council:

- (a) Issues a non-binding Letter of Support to enable the proponent to submit a grant application;
- (b) Undertakes consultation with the Maude community regarding the potential installation of an EV charger; and
- (c) Authorises the General Manager to execute all relevant documentation associated with the funding application and, if successful, to negotiate and finalise any resulting agreements.

(Perry/Garner/)

C7 Local Water Utility Strategic Plan 2026-2036

26-015 Resolved that Council:

- (a) Adopts the Hay Shire Council Local Water Utility Strategic Plan 2026–2036, Version 2, dated February 2026;
- (b) Notes that the Plan will inform Council's Integrated Planning and Reporting framework, including the Long Term Financial Plan, Asset Management Plans and annual Operational Plans; and
- (c) Authorises the General Manager to implement the Plan and make minor administrative updates as required to maintain regulatory compliance.

(Chapman/Porter)

C8 Digital Transformation Update

26-016 Resolved that Council:

- (a) Notes the progress of the Digital Transformation Action Plan;
- (b) Adopts the Digital Transformation Strategy Supplementary Paper, dated February 2026; and
- (c) Endorses the continued implementation of the identified actions in accordance with available resources and future budget considerations.

(Perry/Chapman)

C9 Financial Sustainability Strategy

26-017 Resolved that Council:

- (a) Adopts the Hay Shire Council Financial Sustainability Strategy, Version 3, dated January 2026;
- (b) Notes that the strategy will inform Council's Long Term Financial Plan, Asset Management Plans and annual Operational Plans.
- (c) Authorises the General Manager to implement the Strategy and make minor administrative updates as required to maintain relevance.

(Miller/Perry)

C10 Quarterly Budget Review Report December 31, 2025

26-018 Resolved that:

- (a) The Quarterly Budget Review Report to 31st December 2025 be adopted and the amended votes as detailed in the report be approved.
- (b) Notes that the Responsible accounting officer believes that the Council's performance is satisfactory and that no remedial action needs to be taken.

(Perry/Porter)

C11 Rates Debt Recovery

26-019 Resolved that Council:

- (a) Notes the information provided in the report; and
- (b) Authorises the General Manager to implement the FlexiPay revenue solution.

(Miller/Chapman)

C12 Review of Delivery Program: 6 months to December 2025

That Council notes the Delivery Plan Review report for the period 1 July 2025 to 31 December 2025.

C13 Council Committees

C26-020 Resolved that Council determines its delegates for the various organisations and committees listed in the report for the remainder of the term of Council as follows:.

Council Committees (Section 355)

- Audit Risk and Improvement Committee – Cr Chapman as an observer (non-voting)

- Australia Day Committee – Crs Garner, Miller, Oataway & Perry
- Floodplain Risk Management Committee – Crs Townsend & Porter, General Manager
- General Manager Performance Review Panel – Mayor, Deputy Mayor, Cr Garner & Cr Perry
- Hay Showground Management Committee – Cr Garner & General Manager
- Myers Lane Committee – Crs Garner, Perry, Quinn & General Manager
- Maude War Memorial Hall Committee – Cr Miller & General Manager

Other Committees:

- Audit Risk and Improvement Committees (other Councils) – General Manager, Manager of Finance & Council Business
- Bushfire Advisory Committee – Cr Porter & General Manager or his delegate
- Hay Children’s Services – Cr Miller
- Murray Darling Association – Cr Chapman & General Manager
- RAMJO – Mayor, Deputy Mayor, General Manager
- Shear Outback – Cr Perry as a Board Member; General Manager or his delegate as an Ex-Officio Member
- Western Riverina Community Library – Cr Oataway and Librarian
- Local Health Advisory Committee – Cr Oataway, General Manager

(Miller/Porter)

C14 RAMJO Membership

26-021 Resolved that Council:

- Rejoins RAMJO from 1 July 2026; and
- Responds to the Minister of Local Government accordingly.

Cr Chapman and Cr Perry requested their dissent to the motion be recorded.

(Porter/Miller)

C15 Transport Access Regional Partnership (TARP) Bus Service Trial

26-022 Resolved that Council:

- Notes the requirements of the Transport Access Regional Partnership (TARP) Bus Service Trial process guidance (August 2024);
- Determines not to proceed with the TARP Bus Service Trial at this time due to the absence of a sustainable funding pathway beyond the initial trial period;
- Determines not to undertake the associated community survey to avoid creating community expectations that Council cannot realistically meet; and
- Continues to monitor alternative funding opportunities and partnership models that may support improved transport access for the Hay community.

- (e) Writes to Helen Dalton & Minister Jenny Aitchison to advocate for improved Country Link Services for Hay.

(Perry/Garner)

As the Mayor declared an interest in Item C16 and in absence of the Deputy Mayor, it was necessary to elect a Chair for the item. One nomination was received — Cr Perry. Cr Perry accepted the nomination and was declared elected as Chair.

Cr Oataway vacated the chambers during consideration of item and C16 Cr Perry assumed role of Chair.

(Porter/Garner)

C16 New Aged Care Act and provision of Home Support Services

26-023 Resolved that Council:

- (a) Notes the information provided in the report and actions being undertaken; and
- (b) Disposes of the old HSMO bus at Pickles auction.

(Miller/Porter)

Cr Perry vacated the chair and Cr Oataway resumed Chair of the meeting.

C17 John Houston Memorial Swimming Pool Replacement Project

That Council notes the information provided and the actions undertaken.

C18 Circulars and other Government Correspondence

That Council notes the information provided in the report.

C19 Economic Development & Tourism January / February 2026

26-024 Resolved that Council:

- (a) Notes the information provided in the report and actions being undertaken;
- (b) Endorses the Hay Health Precinct Legacy Housing Project Business Case, dated January 2026, and supports the progression of the next steps for the Hay Health Precinct; and
- (c) Approves the removal of the additional hire fees for the use of kitchen and crockery for function bookings for Bishops Lodge Museum.

(Perry/Porter)

C20 People & Governance Monthly Report: December/January

That Council notes the information provided in the report.

C21 Corporate and Community Services Report– February 2026

26-025 Resolved that Council receives and notes the report provided and approves the Material Budget Variances outlined in the report.

(Miller/Porter)

C22 Planning and Compliance Report

That Council notes the information provided in the report.

C23 Major Projects Update

That Council notes the information provided in the report and the actions being undertaken.

C24 Operations Monthly Update Report

26-026 Resolved that Council:

- (a) Notes the information provided in the report; and
- (b) Retains plant #1412 Mitsubishi Triton utility for the building maintenance assistant and plant #3811 TLC forklift for the water treatment plant.

(Perry/Miller)

C25 Tree Removal Requests

26-027 Resolved that Council

- (i) Removes one (1) Paper Tree from 379 Macauley Street and replace with three (3) Crepe myrtle.
- (ii) Removes one (1) Claret Ash from 458 Orson Street and replace with a Manchurian Pear.
- (iii) Removes one (1) Gum Tree from 123 Pine Street and replace with a Manchurian Pear.
- (iv) Removes one (1) Paperbark and Prune one (1) Jacaranda at 465 Water Street.

(Miller/Perry)

C26 Questions with Notice

That Council notes the General Manager's comments provided and the suggested actions to be undertaken.

Reports of Council Committees

- Hay Showground Management Committee held 17th November 2025
- Hay Showground Management Extraordinary Committee held 8th December 2025

26-028 Resolved that Council notes the Committees meeting minutes, and any recommendations contained within be adopted.

(Porter/Perry)

There being no further business the meeting was terminated at 3:10 pm.

Confirmed _____
Cr Carol Oataway
Mayor